

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
JOSEPH CUNNEEN,  
Plaintiff,

Docket No.: 07 CIV 6601

-against-

**Rule 26(a)(1)**


JOHN NAPOLI,  
Defendants.

-----X  
In accordance with Federal Rules of Civil Procedure 26(a)(1), defendant John Napoli by his attorneys, CAMACHO MAURO MULHOLLAND, LLP, hereby discloses to all interested parties, the following:

- A. Individuals who may have discoverable information include: Peter DeMartino, Thomas Tachillo, James Vallentino, Greg Schneider, Forest Closi, Alan Dipel and Eric Sumamer.
- B. Defendant is not in possession of any documents tht defendant may use at trial at this time.
- C. Defendant is not claiming any damages.
- D. At the time of the allegation contained in the complaint, defendant Napoli was insured by Great Northern Insurance Company under policy number 1233543401 with a liability limit of \$1,000,000 per occurrence.

Dated: New York, New York  
October 1, 2007

CAMACHO MAURO MULHOLLAND, LLP

  
Andrea Sacco Camacho, Esq. (ASC-5719)  
Attorneys for John Napoli  
350 Fifth Avenue - Suite 5101  
New York, New York 10118  
(212) 947-4999  
Our File No.: CHUY-1839-A

To: (See Affidavit attached)

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss:

Carrel E. Mayorga, being duly sworn, deposes and says:

That I am not a party to the within action, am over 18 years of age and reside in Brooklyn, New York.

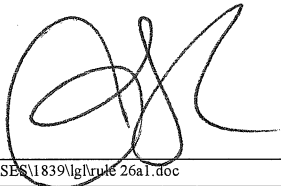
That on October 2, 2007, deponent served the within **Rule 26(a)(1)** upon the attorneys/individuals listed below, at his/her/its addresses which were so designated by said attorneys for said purpose, by depositing a true copy of same enclosed in a post paid properly addressed wrapper in a post office under the exclusive care and custody of the United States Postal Service within the State of New York:

TO:

Edward F. Westfield, Esq.  
274 Madison Avenue – Suite 1601  
New York, New York 10016  
(212) 532-6625  
Attorneys for Plaintiff

  
Carrel E. Mayorga

Sworn to before me this  
2<sup>nd</sup> day of September, 2007



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ANDREA SACCO CAMACHO  
Notary Public, State of New York  
No. 02CA5072768  
Qualified in Queens County  
Commission Expires May 1, 2011 